

## RESOLUTION NO. A-\_\_\_\_\_

## SPECIAL PERMIT NO. 617B

1 WHEREAS, Sutter Place Partners has submitted an application designated  
2 as Special Permit No. 617B for authority to amend Sutter Place Apartments Community  
3 Unit Plan by revising the building envelopes on property located at South 48th Street and  
4 Claire Avenue, and legally described to wit:

5 Lot 150 I.T. located in the Southwest Quarter of Section 8,  
6 Township 9 North, Range 7 East of the 6th P.M., Lincoln,  
7 Lancaster County, Nebraska;

8 WHEREAS, the real property adjacent to the area included within the site  
9 plan for this community unit plan will not be adversely affected; and

10 WHEREAS, said site plan together with the terms and conditions hereinafter  
11 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal  
12 Code to promote the public health, safety, and general welfare.

13 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
14 Lincoln, Nebraska:

15 That the application of Sutter Place Partners, hereinafter referred to as  
16 "Permittee", to amend Sutter Place Apartments Community Unit Plan by revising the  
17 building envelopes, on the property legally described above, be and the same is hereby  
18 granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln  
19 Municipal Code upon condition that construction and operation of said revised community  
20 unit plan be in strict compliance with said application, the site plan, and the following

1 additional express terms, conditions, and requirements:

- 2 1. This permit approves 104 dwelling units.
- 3 2. The Permittee must submit an acceptable revised and reproducible  
4 final plan and six copies.
- 5 3. The construction plans must conform to the approved plans.
- 6 4. Before occupying the dwelling units all development and construction  
7 must be completed in conformance with the approved plans.
- 8 5. All privately-owned improvements must be permanently maintained  
9 by the owner or an appropriately established homeowners association approved by the City  
10 Attorney.
- 11 6. The site plan approved by this permit shall be the basis for all  
12 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
13 elements, and similar matters.
- 14 7. The terms, conditions, and requirements of this resolution shall be  
15 binding and obligatory upon the Permittee, its successors, and assigns. The building  
16 official shall report violations to the City Council which may revoke the special permit or  
17 take such other action as may be necessary to gain compliance.
- 18 8. The Permittee shall sign and return the City's letter of acceptance to  
19 the City Clerk within 30 days following approval of the special permit, provided, however,  
20 said 30-day period may be extended up to six months by administrative amendment. The  
21 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
22 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
23 Permittee.

1                   9.     The site plan as approved by this resolution voids and supersedes all  
2 previously approved site plans, however, all resolutions approving previous permits remain  
3 in force unless specifically amended by this resolution.

4                   10.    Before receiving an occupancy permits, a sign identifying the  
5 emergency exit must be posted.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2003:

\_\_\_\_\_  
Mayor